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**From:** Kelley, Rosemarie [Kelley.Rosemarie@epa.gov]  
**Sent:** 3/10/2021 2:13:22 AM  
**To:** Cozad, David [Cozad.David@epa.gov]  
**CC:** Humphrey, Leslie [Humphrey.Leslie@epa.gov]; Koslow, Karin [Koslow.Karin@epa.gov]; Saenz, Diana [Saenz.Diana@epa.gov]; Bellot, Michael [Bellot.Michael@epa.gov]; Davies, Lynne [Davies.Lynne@epa.gov]; Miles, James [miles.james@epa.gov]; Weekley, Erin [weekley.erin@epa.gov]; Bednar, Candace [Bednar.Candace@epa.gov]  
**Subject:** RE: Cleanup at an ethanol plant

Dave –

We are fine with your draft email and your approach to getting the seed companies to take responsibility for cleanup.

Rosemarie  
Rosemarie A. Kelley, Director  
Office of Civil Enforcement  
Office of Enforcement and Compliance Assurance  
202-564-4014 (rings to cell)  
202-731-0836 (cell)

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**From:** Cozad, David <Cozad.David@epa.gov>  
**Sent:** Tuesday, March 09, 2021 5:42 PM  
**To:** Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>  
**Cc:** Humphrey, Leslie <Humphrey.Leslie@epa.gov>; Koslow, Karin <Koslow.Karin@epa.gov>; Saenz, Diana <Saenz.Diana@epa.gov>; Bellot, Michael <Bellot.Michael@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Miles, James <miles.james@epa.gov>; Weekley, Erin <weekley.erin@epa.gov>; Bednar, Candace <Bednar.Candace@epa.gov>  
**Subject:** RE: Cleanup at an ethanol plant

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Rosemarie and Co.,

Below is a draft of what we propose to send to the seed companies. Couple things:



# Deliberative Process / Ex. 5

Thanks –

Dave

DRAFT 3/9

Hello,

As you may be aware, there are outstanding environmental issues at the AltEn, LLC facility located in Mead, Nebraska, which utilizes as feedstock treated seed from the recipients of this email. Significant response actions are needed to address the issues at the facility. Due to the scope of those actions, EPA and the Nebraska Department of Environment and Energy would like to schedule a virtual meeting to discuss the potential role you could play in assisting with the response.

Background information, including links to the NDEE's public record portal with sampling data, past inspections, and site visits, is available at <http://dee.ne.gov/Press.nsf/pages/AltEn>.

We propose a Microsoft Teams call for Friday, March 12 at 11:00 CST. Participating for EPA Region 7 will be myself and Candace Bednar, Chief of the Chemical Branch of the Region 7 Enforcement and Compliance Assurance Division. Participants for NDEE will be . We look forward to exploring a path forward with you, and hope that you will participate in the Thursday meeting. Replies to this message should be sent to me at this email address.

Thank you for your attention to this matter –

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**From:** Kelley, Rosemarie <[Kelley.Rosemarie@epa.gov](mailto:Kelley.Rosemarie@epa.gov)>

**Sent:** Monday, March 08, 2021 12:56 PM

**To:** Cozad, David <[Cozad.David@epa.gov](mailto:Cozad.David@epa.gov)>

**Cc:** Humphrey, Leslie <[Humphrey.Leslie@epa.gov](mailto:Humphrey.Leslie@epa.gov)>; Koslow, Karin <[Koslow.Karin@epa.gov](mailto:Koslow.Karin@epa.gov)>; Saenz, Diana <[Saenz.Diana@epa.gov](mailto:Saenz.Diana@epa.gov)>; Bellot, Michael <[Bellot.Michael@epa.gov](mailto:Bellot.Michael@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Miles, James <[miles.james@epa.gov](mailto:miles.james@epa.gov)>

**Subject:** Cleanup at an ethanol plant

Dave—

Thanks for letting me know. I was generally aware of the NE action, but did not know about these specific activities. We will connect with WCED about next steps tomorrow.

Rosemarie

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**From:** Cozad, David <[Cozad.David@epa.gov](mailto:Cozad.David@epa.gov)>

**Sent:** Monday, March 08, 2021 12:31 PM

**To:** Kelley, Rosemarie <[Kelley.Rosemarie@epa.gov](mailto:Kelley.Rosemarie@epa.gov)>; Koslow, Karin <[Koslow.Karin@epa.gov](mailto:Koslow.Karin@epa.gov)>

**Cc:** Humphrey, Leslie <[Humphrey.Leslie@epa.gov](mailto:Humphrey.Leslie@epa.gov)>

**Subject:**

Hi,

You may have already heard about this from Lynn D, but if not, I want to make sure you are aware. We are poised to

## **Deliberative Process / Ex. 5**

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- **Deliberative Process / Ex. 5**
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- **Enforcement/Investigatory / Ex. 7(a)**

Upcoming Actions & Timeframes:

- **Deliberative Process / Ex. 5**

Dave Cozad  
Director, Enforcement and Compliance Assurance Division  
EPA Region 7

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